



**WORKING INTERDISCIPLINARY NETWORKS OF
GUARDIANSHIP STAKEHOLDERS (WINGS)
TASK FORCE ZOOM MEETING**

November 20, 2020

MINUTES OF THE MEETING

Persons in Attendance	Members Absent
John C. Craft (Chairman)	The Honorable David Standridge
Gaines Brake	The Honorable William Tate
Lee McIver Jordan	The Honorable Mike Bolin
Lauren Hogeland	The Honorable Allison Boyd
Thomson McCorkle	The Honorable John E. Paluzzi
Tonia Bell	The Honorable Jay Jones
Anna Pritchett	Mamie Long
Todd Hughes	Kylle' D. McKinney
Bob Maddox	Susan Segrest
	Melissa J. Warnke
	David White
	Tennille Harkins
	Chanda M. Crutcher
	Sam Smith
	James Tucker
	Virginia Moore-Bell
	Sidney C. Summey
	Angie Cameron Smith
	Kimberly Dobbs
	Jacob Dubin

This project is supported by a grant from the Alabama Law Foundation.

Welcome and Introductions

The meeting began at approximately 10:05 A.M. The chairman, Professor John Craft, welcomed the persons present and stated that the introductions will be skipped since everyone was on Zoom.

Review and Approve August 28, 2020 Meeting Minutes

A motion was made by Todd Hughes to approve the minutes. The motion was seconded by Lauren Hogeland and approved unanimously.

Coordinator's Report

Bob Maddox, WINGS Coordinator

Mr. Maddox stated that the application for Alabama Law Foundation, Inc. grant funding requesting \$20,000 for Calendar Year 2021 was submitted during the month of September. Mr. Maddox was informed that he should hear whether the application was approved around December 10th.

Mr. Maddox discussed the part of application stating how the funds primarily are requested to be used as follows:

To continue educating judges, attorneys, and the public on guardianships and conservatorships. The goals are two-fold: first, to improve court practices by judges and attorneys and, second, to promote less-restrictive alternatives to guardianships and conservatorships as a means to avoiding or limiting court-required guardianships/conservatorships.

Judicial Education

- Provide an educational seminar at a future Probate Judges Conference and a future Circuit and District Judges Conference by December 31, 2021 (Note: Professor Craft is scheduled to speak for 15 minutes on WINGS to the probate court judges at their Conference on January 13, 2021 in Tuscaloosa).
- Titles of Presentations: Probate Judges Conference: How to Avoid or Limit Guardianships and Conservatorships, or similar topic. Circuit and District Judges Conference: Elder Abuse Protection Orders as an Alternative to Guardianship, or similar topic.
- Locations: To be Determined.
- Funds will be used to reimburse the presenter(s) for travel-related expenses (per diem and/or mileage).

Attorney Education

- Provide an educational seminar to at least two attorney continuing legal education seminars by December 31, 2021.
- Title of Presentations: How to Avoid or Limit Guardianships and Conservatorships, or similar topic; Elder Abuse Protection Orders as an Alternative to Guardianship, or similar topic.
- Locations: To be Determined.
- Prospective Audiences: Alabama State Bar - Elder Law Section; Birmingham Bar Association;

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Montgomery Bar Association; Mobile Bar Association

- Funds will be used to reimburse the presenter(s) for travel-related expenses (per diem and/or mileage).

Public/Professional Education

- Create a series of human interest stories by video to publish on the WINGS website and social media by December 31, 2021.

- Topics for Presentation: Following the production of this year's educational videos, our next project is to personalize the content with stories of adults and their families who have experienced the guardianship system. We especially want to highlight the successful use of alternatives to guardianship, including supported decision-making for adults with intellectual disabilities.

- Funds will be used to pay for content research, development of scripts, and professional filming, production, and editing of the videos.

Professor Craft noted that ideas for human interest stories would be welcome. Anna Pritchett said that AARP has had past success with collecting persons to tell these stories. They usually got a disclaimer/consent from the persons to sign. It is important to get stories from different parts of the State in order to target diverse audiences. Another idea is to interview persons on Facebook Live and record them.

Mr. Maddox also noted that part of the funds will be used to update the "Managing Someone Else's Money – Help for Court-Appointed Conservators in Alabama" guide to include information for court-appointed guardians. Currently, the guides educate conservators of property only, not court-appointed guardians of the person. The updated guide will address both roles, guardian and conservator. Funds will be used to draft, produce and print the updated guides, and ship them to every county Probate Court in the state of Alabama. Professor Craft asked the persons in the meeting if one guide with both conservator and guardian information is sufficient or should they be separate guides. There appeared to be no objection from anyone in the meeting to just have one guide.

Lastly, funds also are being requested to reimburse per diem and/or mileage for WINGS Task Force members to travel to and from these Task Force meetings during Calendar Year 2021, as well as for a WINGS Task Force member to attend a national conference on guardianship, law, or aging by December 31, 2021.

Funding Update

In addition to possible Alabama Law Foundation, Inc. grant funding, Mr. Maddox informed the persons in the meeting that, on August 3rd of this year, the American Bar Association adopted a resolution (which was co-sponsored by the ABA Commission on Law and Aging, Senior Lawyers Division, Section of Real Property, Trust and Estates Law, and Commission on Disability Rights) to Congress urging to create and fund a Guardianship Court Improvement Program for adult guardianship (following the model of the State Court Improvement Program for child welfare agencies in 1993) to support state court efforts to improve the legal process in the adult guardianship system, improve outcomes for adults subject to or

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potentially subject to guardianship, increase the use of less restrictive options than guardianship, and enhance collaboration among courts, the legal system and the aging and disability networks. If authorized by Congress, this federal funding could be awarded to Alabama.

Another potential source of funding is through a state appropriation through the Alabama Legislature similar to funding received by the Alabama Center for Dispute Resolution through the court budget.

Chairman's Report – Educational Video Project

John Craft, Chairman

Professor Craft gave an update on the video project. There were a lot of positive comments about the content and quality of the draft videos. It is hoped that, once the videos are finalized, they can be placed on the WINGS part of AOC's website along with PDF versions of the written scripts for persons to read. Because there was not a quorum of the Task Force members present to take a vote obtaining formal approval to publish the videos, Professor Craft said he would send an e-mail to the members asking for them to respond by Tuesday, November 24 whether they approve in order to get a majority vote in favor (which would be 15 members).

Transition from WINGS to the Commission on Adult Guardianships and Conservatorships

Professor Craft discussed the Order of the Supreme Court of Alabama dated September 16, 2020, effective October 1, 2020, establishing the Alabama Supreme Court Commission on Adult Guardianships and Conservatorships. He mentioned that he participated on a national WINGS call on November 9th in place of Mr. Maddox on which he updated the persons on the call about the video project and the establishment of the Commission. He noted that persons from other States gave updates on their WINGS initiatives including Keith Hinkel in the Administrative Office of Courts in the State of Pennsylvania who wanted to talk to him about Alabama's initiatives in more detail.

Professor Craft also mentioned that Erica Wood, who is now retired from the ABA Commission on Law and Aging and a member of Virginia's WINGS group, presented a summary of the newly-published *WINGS Briefing Paper: Advancing Guardianship Reform and Promoting Less Restrictive Options* which was very well done. The federal Administration for Community Living commissioned the *Briefing Paper* as part of its WINGS grant to the ABA Commission, to gain information about the extent to which WINGS can advance guardianship reform, promote less restrictive options, and address guardianship abuse. The Paper's conclusions and recommendations are based on the ABA Commission's experience with the seven pilot WINGS funded through its project, as well as similar stakeholder groups in other states. While the findings therefore are not new to state WINGS representatives, hopefully they will help to strengthen existing WINGS and establish or enhance WINGS in the approximately 25 states where no such groups currently exist.

Professor Craft noted that he explained to the persons on the Call that formation of such a Commission was an integral part of the Alabama WINGS 2018 strategic plan, and has been a vision for sustainability, based on the example of an Alabama Supreme Court Commission on Dispute Resolution. The Order sets out duties and responsibilities of the Commission, including the eventual implementation and oversight of an "Alabama Center for Adult Guardianships and Conservatorships" as a focal point of coordination,

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resources, training, research, and development. A hope is that the Court and legislature will provide funding for such a Center, as it has done for Dispute Resolution. The Commission will replace Alabama WINGS, providing more authority to accomplish needed changes. Professor Craft said he hoped the establishment of the Commission will directly impact guardianship practice in the state. Professor Craft noted that the WINGS Town Hall meetings highlighting needs and garnering input from the bench and bar helped to bolster support for the concept of a Commission.

Also discussed on the WINGS call was how to improve WINGS member engagement and resources from the National Center for State Courts.

Gaines Brake asked if monitoring of guardians and conservators was within the Commission's authority. Professor Craft noted that one of the duties and responsibilities of the Commission as noted in the Appendix to the Order of the Supreme Court of Alabama establishing the Commission is to "8. Collect and maintain statistical data and other information necessary to evaluate guardianships and conservatorships in the State of Alabama on a continuing basis."

Mr. Brake said that other States, including Minnesota, have automated, electronic methods for guardians and conservators to submit required reports and courts to monitor cases.

Professor Craft stated that he and Mr. Maddox were asked to meet with the Supreme Court of Alabama on October 21st to provide a WINGS update. The Court requested they submit a proposed News Release about the new Commission for review and approval.

Also, an initial meeting of the Commission cannot be scheduled until the Supreme Court of Alabama appoints the members. Hopefully, the members will be appointed soon so that the initial meeting can be scheduled in January or February. Professor Craft and Mr. Maddox are working on a draft set of by-laws for the Commission to be sent to the Court by December 30th for review and approval. Certainly, until the Commission members are appointed, the WINGS Task Force will continue its work.

It was also mentioned that, if state funding for a future Alabama Center for Adult Guardianships and Conservatorships is being sought, conversations should start now in order to possibly get funding in the Court's State General Fund Appropriation for Fiscal Year 2022.

The meeting was adjourned at approximately 11:10 A.M.

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